

PUBLIC MEETING
August 21, 2001

Commissioner Murray called the public meeting to order at 9:00 a.m. Commissioner Varone was present. Commissioner Loendorf was absent on personal leave. Others attending all or a portion of the meeting included Ron Alles, Jerry Grebenc, Michael McHugh, Tim and Tina Kuney, Garry Pistoria, Debbe Pistoria, and Carole Byrnes.

Minutes. There were no minutes to approve.

Auditor Invoice Report. Audra Zacherl presented 724 invoices for payment in the amount of \$620,771.24. Copies of the report and claims are available for inspection in room 345 or on the county's web site.

Consideration of a Petition to Abandon a Portion of the Michelle Drive right-of-way located adjacent to Lot 4, Block 2 of the Hahn Tracts, First Addition, in the NE ¼ of Section 7, T10N, R3W. (cont. from 8/14/01) Commissioner Varone moved to approve the proposal subject to 6 conditions of approval. Commissioner Murray seconded the motion.

Amendments to Conditions of Approval.

Condition 3. Commissioner Varone moved that this condition be removed (utility easement). Tabled to August 30.

Condition 4. Commissioner Varone moved that this condition be removed (construction of a cul-de-sac). Tabled to August 30.

Condition 5. Commissioner Murray moved to rewrite this condition by adding at the end of the first sentence ...or that the Mr. Hahn shall request an encroachment agreement from Lewis and Clark County for the property he is encroaching on to establish this is a public road. Commissioner Varone seconded the motion and it carried 2-0.

Commissioner Murray moved to table a decision on conditions 3 and 4 to August 30. Commissioner Varone seconded the motion and it carried 2-0.

Proposed Minor Subdivision, Summary Review, Hyland Heights No. 3, Lot 3 Minor. The applicant proposes to create an additional space for one single-family dwelling. The proposal is generally located ½ mile north of Hwy 12 west southwest and adjacent to Baxendale Drive. The applicant, Garry Pistoria, was present and indicated his willingness to proceed. Jerry Grebenc presented the staff report. There are covenants on the property. The City-County Health Department has indicated that a site evaluation has been conducted on the property and soils have been found to be acceptable for on-site systems. The water availability appears to be adequate for domestic use, but long-term availability is unknown. The Baxendale Fire Department has indicated it can provide fire protection and suppression services to the site. The

only identified physical hazards on the property are due to vegetation on the western portion of the property. There is an earthquake fault ¼ mile to the northeast of the property. Another fault is located 1.5 miles southeast of the property. The proposal complies with all subdivision regulations. Staff recommended approval of the proposal subject to 8 conditions as outlined in the staff report. If the Board grants preliminary approval, and the applicants has met all of the conditions of final platting, the applicant will have an additional development right on the property.

Garry Pistoria stated he would like to build a one-bedroom caretaker home for someone to look after pets and do maintenance on the property in his absence. He is satisfied with the conditions and understands the development right process.

Hearing no public comments, the public hearing was closed. Commissioner Varone moved to approve the proposal subject to the 8 conditions as recommended by staff. Commissioner Murray seconded the motion and it carried 2-0.

Request for Extension of Preliminary Site Plan Approval for the H & C RV Camp Major Subdivision. Michael McHugh reported that applicants, Herman and Charlotte Christiansen, have requested an extension. This is the applicant's second extension. Staff recommended approval of an extension to August 13, 2002. The applicants have been diligent in pursuing this since the court case has been concluded. Commissioner Varone moved to grant the extension to August 13, 2002. Commissioner Murray seconded the motion and it carried 2-0.

Final Plat Approval and Signature of an Improvements Agreement for the Prairie View No. 4 Minor Subdivision. The property is generally located one-mile east of East Helena and north of Highway 12 East. Jerry Grebenc reported the applicant, Grant Kiser, has not been able to obtain a waiver from his mortgage holder at this time and requested that staff postpone this matter until he has received the proper documentation. By consensus, the Commission postponed this to August 23.

There being no other business, the meeting adjourned at 9:30 a.m.